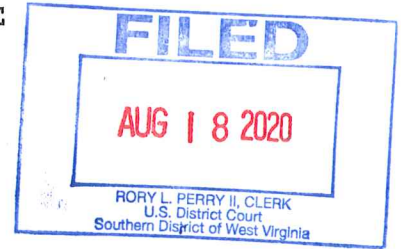


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON GRAND JURY 2019
AUGUST 18, 2020 SESSION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:20-00145
18 U.S.C. § 371

JULIE M. WHEELER
RODNEY WHEELER

I N D I C T M E N T
(Conspiracy to Obstruct Justice)

The Grand Jury Charges:

Background

At all relevant times to this Indictment:

1. Grandview Park ("Grandview") was a scenic overlook and a part of the New River Gorge National River, a unit of the United States National Park Service.

2. The National Park Service was an agency of the Federal Government within the jurisdiction of the executive branch of the United States Government.

3. The United States Probation Department was an agency of the Federal Government within the jurisdiction of the judicial branch of the United States Government.

4. Defendant JULIE M. WHEELER was under the supervision of the United States Probation Department pending her federal

sentencing for her conviction for health care fraud, in violation of 18 U.S.C. § 1347 (Criminal No. 2:19-CR-00235).

The Conspiracy

5. From some time prior to May 31, 2020 to on or about June 2, 2020, at or near Grandview and Beaver, Raleigh County, and Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia and elsewhere, defendants JULIE M. WHEELER and RODNEY WHEELER did knowingly conspire and agree with each other and with other persons known and unknown to the Grand Jury, to commit offenses against the United States, that is:

(a) Knowingly and willfully make materially false, fictitious, and fraudulent statements to officers with the National Park Service with the United States Probation Department concerning matters within the jurisdiction of the executive branch and the judicial branch of the United States Government, in violation of 18 U.S.C. § 1001(a)(2); and

(b) Corruptly endeavor to influence, obstruct, and impede the due administration of justice in a pending judicial proceeding, that is, *United States v. Julie M. Wheeler*, Criminal No. 2:19-CR-00235 in the United States District Court for the Southern District of West Virginia, in violation of 18 U.S.C. § 1503.

Manner and Means of the Conspiracy to Obstruct Justice

6. It was part of the conspiracy that defendants JULIE M. WHEELER, RODNEY WHEELER, and another person known to the Grand Jury ("Known Person") agreed that they would fake the disappearance and death of defendant JULIE M. WHEELER in order to avoid the federal sentencing of defendant JULIE M. WHEELER scheduled for June 12, 2020 in United States District Court (*United States v. Julie M. Wheeler*, Criminal No. 2:19-CR-00235). As part of the scheme, defendant JULIE M. WHEELER would then go into permanent hiding, assisted by defendant RODNEY WHEELER.

Overt Acts

7. In furtherance of the conspiracy and to effect its objective, defendants RODNEY WHEELER and JULIE M. WHEELER committed the following overt acts:

(a) It was part of the conspiracy that on or about May 31, 2020, at or near Grandview, Raleigh County, West Virginia, defendant RODNEY WHEELER and Known Person prompted an emergency phone call to the Raleigh County 911 Center, claiming defendant JULIE M. WHEELER had fallen from an overlook in Grandview and was missing. Defendant RODNEY WHEELER and Known Person then personally provided statements to the Raleigh County 911 Center that defendant JULIE M. WHEELER had fallen from an overlook within Grandview. These false statements caused state, federal, and local officials

to begin search and rescue efforts to locate defendant JULIE M. WHEELER.

(b) It was further a part of the conspiracy that defendant RODNEY WHEELER and Known Person provided further false statements to federal officials, including to officers with the National Park Service and United States Probation Department, that defendant JULIE M. WHEELER had fallen from an overlook within Grandview Park and that her whereabouts were unknown. These false statements included details about how defendant JULIE M. WHEELER had fallen from the overlook.

(c) It was further a part of the conspiracy that defendant RODNEY WHEELER and Known Person gave similar false statements to officials with the West Virginia State Police, the Raleigh County Sheriff's Office, and the West Virginia Division of Natural Resources concerning defendant JULIE M. WHEELER's disappearance.

(d) It was further a part of the conspiracy that on or about June 1, 2020, defendant RODNEY WHEELER posted statements on his personal Facebook.com account about the "accident" that occurred with defendant JULIE M. WHEELER at Grandview Park and expressed "hope that she will be found" to further mislead the public and state and federal law enforcement authorities into believing defendant JULIE M. WHEELER had fallen and remained missing.

(e) It was further a part of the conspiracy that a shoe and cellphone belonging to defendant JULIE M. WHEELER were thrown from the Grandview overlook where defendant JULIE M. WHEELER was reported missing. These items were subsequently recovered at the base of the overlook by search and rescue personnel.

(f) It was further a part of the conspiracy that on or about May 31, 2020 through June 2, 2020, defendant JULIE M. WHEELER actively concealed her person from state and federal law enforcement authorities by hiding in her home located at Beaver, Raleigh County, West Virginia. On at least two occasions, defendant JULIE M. WHEELER concealed her person in a closet while state and federal law enforcement authorities, including officers with the United States Probation Department, were in her home coordinating efforts with defendant RODNEY WHEELER and Known Person to locate defendant JULIE M. WHEELER.

8. On or about June 2, 2020, defendant JULIE M. WHEELER was located by members of the West Virginia State Police in her home while concealing herself in a closet.

In violation of Title 18, United States Code, Section 371.

MICHAEL B. STUART
United States Attorney

By:


ERIK S. GOES
ASSISTANT UNITED STATES ATTORNEY